

MINUTE ITEM

12. (CANCELLATION OF LOGGING LEASES, DEL NORTE AND HUMBOLDT COUNTIES - P.R.C.s 792.1, 1454.2, 1633.1 AND 1650.1.)

After presentation of Calendar Item 5 attached, and upon motion duly made and unanimously carried, the following resolution was adopted:

THE ACTING EXECUTIVE OFFICER IS AUTHORIZED TO CANCEL AS OF OCTOBER 31, 1957, LEASES P.R.C. 792.1, DEL NORTE COUNTY; P.R.C. 1454.2, HUMBOLDT COUNTY; P.R.C. 1633.1, DEL NORTE COUNTY; AND P.R.C. 1650.1, HUMBOLDT COUNTY, DUE TO THE FAILURE OF THE LESSEES TO COMPLY WITH THE TERMS OF THE LEASES TO PAY THE REQUIRED RENTS.

FURTHER, THE LAST YEAR'S RENTALS PAID IN ADVANCE ON THE RESPECTIVE LEASES ARE TO BE APPLIED TO COVER THE DELINQUENT RENTALS TOTALING \$693.62.

Attachment

Calendar Item 5 (1 page)

CALENDAR ITEM

COMMERCIAL LEASE

5.

(CANCELLATION OF LOGGING LEASES, DEL NORTE AND HUMBOLDT COUNTIES - P.R.C.s 792.1, 1454.2, 1633.1 AND 1650.1.)

Four separate lease agreements, pertaining to logging and ~~lumber mill~~ operations, were issued by the Commission to lessees as follows: ~~to Lee O. Peachey, Dan P. Haight and Linda M. Haight, as co-lessees, P.R.C. 792.1; to Daniel P. Haight, d.b.a. Mill Creek Logging Co., P.R.C. 1633.1 and P.R.C. 1650.1; and to Linda M. Haight, d.b.a. Mill Creek Logging Co., P.R.C. 1454.2.~~

The lessees have failed to pay rentals due under these leases, as indicated by the following schedule:

<u>Lease</u>	<u>Dated</u>	<u>County</u>	<u>Rental Due</u>	<u>Due Date</u>	<u>Amount</u>
PRC 792.1	3-24-53	Del Norte	5th Annual	3-24-57	\$211.00
PRC 1454.2	11-1-54	Humboldt	3d Annual	11-1-56	282.62
PRC 1633.1	1-17-56	Del Norte	2d Annual	1-17-57	100.00
PRC 1650.1	2-16-56	Humboldt	2d Annual	2-16-57	100.00

Section 3 of each of the above leases provides in part that the lessee will pay rentals to the State without deduction, default or delay; and in the event of the failure of the lessee to do so, it shall be lawful for the State to re-enter into and upon the demised premises and to repossess and enjoy the premises as in the first and former estate of the State.

Lessees have failed to pay the last due rent on each of the four leases in accordance with the terms set forth in same, despite due notification by registered mail sent to address of record, and to lessee's attorney.

On August 15, 1957 lessee's attorney, Mr. Thomas N. Holm, was notified that if payment of the delinquent rentals was not received by August 26, 1957 there would be no alternative but to recommend to the Commission that the leases be cancelled. No reply has been received as a result of this notification.

IT IS RECOMMENDED THAT THE COMMISSION AUTHORIZE THE ACTING EXECUTIVE OFFICER TO CANCEL AS OF OCTOBER 31, 1957, LEASES P.R.C. 792.1, DEL NORTE COUNTY; P.R.C. 1454.2, HUMBOLDT COUNTY; P.R.C. 1633.1, DEL NORTE COUNTY; AND P.R.C. 1650.1, HUMBOLDT COUNTY, DUE TO THE FAILURE OF THE LESSEES TO COMPLY WITH THE TERMS OF THE LEASES TO PAY THE REQUIRED RENTS.

IT IS FURTHER RECOMMENDED THAT THE LAST YEAR'S RENTALS PAID IN ADVANCE ON THE RESPECTIVE LEASES BE APPLIED TO COVER THE DELINQUENT RENTALS TOTALING \$693.62.